

Chrono

EAS 82-103  
4 January 1982

MEMORANDUM FOR: Director of Central Intelligence  
VIA: Deputy Director of Central Intelligence  
FROM:   
Director, Office of External Affairs  
SUBJECT: Legislative Strategy for Identities Legislation  
and FOIA Relief, 2nd Session, 97th Congress

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The 2nd Session of the 97th Congress will begin on 25 January. It is the purpose of this memorandum to present a proposal for legislative strategy for the 2nd Session with a view to making the most effective use of the legislative calendar during 1982.

IDENTITIES:

We must get the Senate leadership to schedule the Bill for floor consideration early in the 2nd Session, preferably during the first week in February. We cannot afford to delay Senate action on this measure. Every day's delay provides those opposed to the measure more time to lobby against us. A headcount indicates we still have a soft majority for S. 391.

REQUESTED ACTION: You must ask the President to call Howard Baker to put Identities on the agenda the first week in February. Nothing short of this will get the Bill scheduled--the President must ask Baker.

FOIA RELIEF:

Unlike Identities, we are a long way from enactment of relief from FOIA. If everything works to perfection it still will be very difficult to successfully steer our FOIA proposal through the 2nd Session since, in all likelihood, the proposal will be considered by six Congressional Committees. The House and Senate Select Committees will have primary jurisdiction, with the House and Senate Judiciary as well as the House Government Operations and Senate Governmental Affairs Committees taking sequential referral of the Bill. In order for us to have any glimmer of hope for enactment, efforts should be made to have the SSCI initiate hearings on the proposal before the end of February. Add to this 1982 is an election year and the problem is compounded; Members up for reelection are less prone to vote for something controversial.

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Our assessment of the mood of the Hill for a total FOIA exclusion is less than encouraging. However, from a legislative strategy point, we are well situated; should the political waters become too choppy with regard to a total exclusion, we can always fall back to the Chafee Bill (S. 1273), which we supported in the 96th Congress and which would effectively grant us the total exclusion we need, albeit in a different and possibly more politically palpable format.

REQUESTED ACTION: I strongly recommend you again personally approach Fred Fielding and explain we need him to release the Bill now so we can have Senator Laxalt introduce it as soon as Congress reconvenes.

**SIGNED**

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OEA [redacted] 4/1/82

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